

MINUTES

**McDowell Sonoran Preserve Commission
One Civic Center
3rd Floor Planning Conference Room
7447 E. Indian School Road
Scottsdale, Arizona 85251
Thursday, April 8, 2004**

CALL TO ORDER

Chairman DeCabooter called the meeting to order at 5:10 p.m., noting the presence of a quorum.

ATTENDANCE

Present: Art DeCabooter, Chairman
Christine Kovach, Vice-Chair
Carla
Denny Carr
Virginia Korte
Erik Filsinger
Laura Fisher
Howard Myers
Arnold Roy
Solange Whitehead

Absent: Don Ruff

Staff: Bob Cafarella
Claire Miller

APPROVAL OF MINUTES FOR MARCH 4, 2004 MEETING

Commissioner Carla requested the following corrections:

1. Page 2, replace: "the first two of which are covered by the voters", with "the first two of which must be voted on."
2. Page 3, Paragraph 2: replace: "Jerry Miller from the City of Scottsdale", with Jerry Miller from the McDowell Sonoran Land Trust.

ON MOTION MADE BY COMMISSIONER KORTE AND SECOND BY COMMISSIONER FISHER, THE MARCH 4, 2004 MINUTES WERE APPROVED AS CORRECTED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF 10-0.

REPORT: PRESERVE EXPENDITURES HISTORY

Mr. Cafarella provided the Commissioners with an update on information distributed at a previous meeting regarding preserve expenditures. He explained that staff from several departments had gone back and accounted for each dollar expended with the Preserve tax. He noted that the appraised value for each parcel and the review appraisal for each parcel had been added to the original data. He also explained that the footnote section had been greatly expanded. Chair DeCabooter asked the Commissioners to review the information and stated that discussion of the item would be an agenda item for the next meeting. In response to a question from Commissioner Korte, Mr. Cafarella clarified that for the first three years of the program, all appraisal and closing processes were channeled through the city's asset management department. He stated that, at his urging, that pass through step has been eliminated, and that personnel hours for Mr. Cafarella's office are charged to the operating budget.

UPDATE: STATUS OF STATE LAND REFORM

Carla advised the Commissioners that the "almost" final draft of the constitutional change, statutory change, and session law has been completed. She noted that the time limit for Scottsdale to sign a development agreement on the option lands has been set at three years. She explained that the Legislators were reviewing the document and that the stakeholders group was receiving their feedback for subsequent determination as to which Legislator would carry the bill in the House and Senate. She went on to explain that the education community is leading the lobbying effort, as they are the prime beneficiaries of State Trust Land. She added that all of the other stakeholder groups are still at the table and are actively involved.

PROPOSED CONCEPTUAL TRAILS PLAN AMENDMENT

Ms. Miller referred to a map of the area and stated that the Planning Committee had agreed that to the addition of a trail, with the recommendation that a by-pass loop be added to eliminate going up and back on the same trail

COMMISSIONER KORTE MOVED APPROVAL OF THE AMENDMENT AS STATED. COMMISSIONER CARR SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY BY A VOTE OF 10-0.

UPDATE: SUNRISE TRIAL CONSTRUCTION

Ms. Miller reported that the trail contractor has been actively working on the construction for about three weeks. She distributed photographs of the progress and noted that a small bobcat was being used for the project. Ms. Miller gave credit to Scott Hamilton and Rob Chasen for their efforts on behalf of this project. She described the process involved in drafting the bid specs and proposed that this effort could serve as a template for future trail construction. She also noted negotiations with the Purchasing Department resulted in a bid requirement that allowed 60 points for low bid and 40 points for experience.

Ms. Miller commented on assistance from members of the Western Trail Builders Association in the bid process. She noted that an integral part of the contract stated that the contractor would be working with volunteers. She commented that the stewards have been working on the project and have received positive commendations from the contractor.

Ms. Miller responded to questions from the Commissioners, and stated that the original cost estimate was \$150,000, with the bid award coming in at \$123,000. She advised the Commissioners that the contractor was documenting the project and hoped to team up with city staff and stewards to do a presentation at the National Trails Symposium and the Western Trail Builders Association meetings.

Commissioner Korte inquired if there would be signage regarding the tortoises. Ms. Miller replied in the affirmative and added that the Fish and Game Department was aware that tortoises were present and asked that appropriate care was taken to ensure their safety. They also requested that information regarding the tortoises be include on signage and in the kiosk. Commissioner Carr asked about the prudence of using the bobcat for this construction as opposed to handwork. Ms. Miller and Mr. Cafarella replied that there is a great deal of handwork remaining to be done, but for the sake of economy and efficiency, the bobcat was most effective for the initial portion of the construction.

DISCUSSION ON JOINT MEETINGS

Mr. Cafarella recalled that Commissioner Myers and others had requested joint meetings with Phoenix and Fountain Hills at some point. He noted that the MSPC was scheduled to host the meetings, and requested input from the Commissioners as to timing and agenda items. Discussion ensued.

DIRECTOR'S REPORT.

Mr. Cafarella noted that the groundbreaking for the Sunrise Trail construction was being held on the 20th of April, starting at 9:00 am at the trailhead site. He added that Mayor Manross, Chair DeCabooter, and Ms. Kovach would be speaking at the event.

He called attention to the EnviroKidsFest event on Friday, April 16, and thanked those who have volunteered to help. He anticipated a great program with 1300 school children scheduled to participate.

Mr. Cafarella stated that City Council began its General Plan Amendment process on adding scenic corridors, but did not include the Thompson Peak Parkway recommendation presented by the Commission. The north scenic corridor recommendations were included.

PRESERVE MANAGER'S REPORT

Ms. Miller noted that there was a great deal of activity in the Preserve at this time, noting a Pinnacle Peak helicopter lift, and Eagle Scout projects through the end of May. She also stated that the Planning Committee was working on finalizing the permit issues and the law enforcement issues as well.

FUTURE EXECUTIVE SESSION

COMMISSIONER ROY MOVED AND COMMISSIONER MYERS SECONDED A MOTION TO HOLD AN EXECUTIVE SESSION FOR MAY 6, 2004, FOR THE PURPOSE OF DISCUSSION WITH REPRESENTATIVES OF THE PUBLIC BODY AND CONSULTATION WITH CITY ATTORNEY FOR LEGAL ADVICE TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATING FOR PURCHASE OR LEASE OF REAL PROPERTY FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE. COMMISSIONER. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF TEN (10) TO ZERO (0).

COMMISSIONER COMMENTS AND PUBLIC COMMENTS

Carla distributed several handouts relative to the Protect and Preserve Committee. She reminded the Commissioners to vote "yes" three times.

AGENDA ITEMS FOR FUTURE MEETINGS

Carla asked the addition of commercial use permits to the agenda. Commissioner Myers asked for an update on the scenic corridor issues.

ADJOURNMENT

Being duly moved and seconded, the regular meeting was adjourned at 5:55 p.m.

Respectfully submitted,

“For the Record” Reporters